

Patent No. 7,416,743
Request for Cert. of Correction dated December 4, 2008
Attorney Docket No. 4544-052144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,416,743 Confirmation No. 8251
Inventor : Yamini Bhushan TRIPATHI
Issued : August 26, 2008
Title : Polyherbal Preparation For The Prevention
Of Atherosclerosis And Hyperlipidemia
Examiner : Stephen Michael Gravini
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. 1.322(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction Branch
Patent Issue Division

Sir:

In accordance with 35 U.S.C. § 254, we attach hereto Form PTO/SB/44 and a copy of proof of PTO errors and request that a Certificate of Correction be issued in the above-identified patent. The following errors appear in the patent as printed:

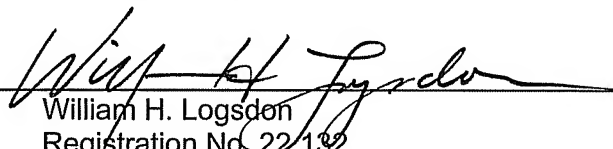
Column 5, Line 23, Claim 2, "*Shankha Bhusma*" should read – *Shankha Bhasma* –
(See the Examiner's Amendment accompanying the Supplemental Notice of Allowability mailed June 4, 2008.

Column 6, Line 24, Claim 5, "*Shankha Bhusma*" should read – *Shankha Bhasma* –
(See the Examiner's Amendment accompanying the Supplemental Notice of Allowability mailed June 4, 2008.

Respectfully submitted,

THE WEBB LAW FIRM

By


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I certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on December 4, 2008.

12/04/2008
Date


Signature

Mary Jo Sinicrope
(Typed Name of Person Signing Certificate)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,416,743
APPLICATION NO. : 10/542,127
ISSUE DATE : August 26, 2008
INVENTOR : Tripathi

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 5, Line 23, Claim 2, "*Shankha Bhusma*" should read – *Shankha Bhasma* –

Column 6, Line 24, Claim 5, "*Shankha Bhusma*" should read – *Shankha Bhasma* –

MAILING ADDRESS OF SENDER: The Webb Law Firm
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-2450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select Option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,127	12/20/2005	Yamini Bhushan Tripathi	4544-052144	8251

28289 7590 06/04/2008
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EXAMINER

TATE, CHRISTOPHER ROBIN

ART UNIT PAPER NUMBER

1655

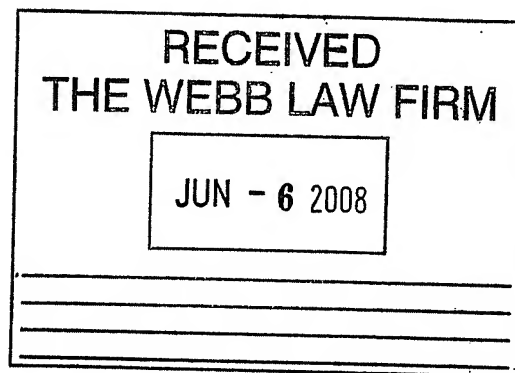
MAIL DATE DELIVERY MODE

06/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



**Supplemental
Notice of Allowability**

Application No.

10/542,127

Examiner

Christopher R. Tate

Applicant(s)

TRIPATHI, YAMINI BHUSHAN

Art Unit

1655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 29 November 2007.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>0208</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


IN THE CLAIMS:

In claim 1, at line 3, a comma has been inserted after the term "anacardium".

Also in claim 1, at line 4, the term "Bhusma" has been omitted and replaced with --Bhasma--.

In claim 2, at line 8, the word --of-- has been inserted after the term "powder".


Also in claim 2, at line 9, the term "Termenalia" has been omitted and replaced with phrase --of Terminalia--.

 Also in claim 2, at line 10, the term "Bhusma" has been omitted and replaced with --Bhasma--.

In claim 5, at line 2, a comma has been inserted after the term "anacardium".

Also in claim 5, at line 7, word --of-- has been inserted after the term "powder".

Also in claim 5, at line 8, the phrase "powder-water extract Termenalia" has been omitted and replaced with the phrase --powder of water extract of Terminalia--.

 Also in claim 5, at line 9, the term "Bhusma" has been omitted and replaced with --Bhasma--.

Reasons for Allowance

The prior art does not teach nor reasonably suggest a polyherbal preparation for treating and/or reducing the risk of atherosclerosis and hyperlipidemia comprising an effective amount of a combination of the six recited ingredients - as instantly claimed. It should be noted that although the corresponding PCT Chapter II opinion (409) submitted with the IDS filed 07

Application No. 10/542,127
Paper dated November 29, 2007
Response to Office Action dated August 29, 2007
Attorney Docket No. 4544-052144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/542,127 Confirmation No. : 8251
Applicant : **Yamini Bhushan TRIPATHI**
Filed : December 20, 2005
Title : **A NOVEL POLYHERBAL PREPARATION**
: **FOR THE PREVENTION OF ATHEROSCLEROSIS**
: **AND HYPERLIPIDEMIA**
Group Art Unit : 1655
Examiner : Christopher Robin Tate
Customer No. : 28289

MAIL STOP AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

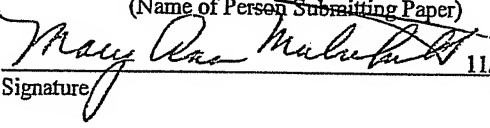
In response to the Office Action mailed on August 29, 2007, Applicant submits this Amendment. This Amendment contains the following parts:

Amendments to the Claims, which begin on page 2 of this paper; and

Remarks, which begin on page 4 of this paper.

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on November 29, 2007

Mary Ann Mulvihill
(Name of Person Submitting Paper)

 11/29/2007
Signature Date

AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1. (Currently Amended) A polyherbal preparation for the prevention of treating and/or reducing the risk of atherosclerosis and hyperlipidemia comprising an effective amount of a mixture of Commiphora mukul, Boswellia serrata, Semecarpus anacardium, Strychnos nux vomica, ~~Terminalia~~ Terminalia arjuna and Shankha ~~Bhusma~~ Bhasma

2. (Currently Amended) A polyherbal preparation as claimed in claim 1 wherein Commiphora mukul, Boswellia serrata, Semecarpus anacardium Strychnos nux vomica, Terminalia arjuna and Shankha Bhusma the constituents are present in the following ratio:

5	Purified Commiphora mukul	1 to 4
	Pure Boswellia serrata	0.5 to 4
	Purified Semecarpus anacardium	0.1 to 0.4
8	Purified powder, ^{os} Strychnos nux vomica	0.4 to 2
	Pure powder of water extract ⁱ Terminalia arjuna	0.3 to 2
10	Shankha Bhusma <u>Bhasma</u>	0.5 to 2

3. (Currently Amended) A polyherbal preparation as claimed in claim 1 further comprising Rubia cordifolia, Bacopa monnieri, Triphala and Trikatu.

4. (Currently Amended) A polyherbal preparation as claimed in claim 3 wherein Rubia cordifolia, Bacopa monnieri, Triphala and Trikatu the following constituents are added in the following ratio:

Rubia cordifolia	0.05 to 1
or Bacopa monnieri	0.5 to 3
or Triphala	0.5 to 3
and Trikatu	0.5 to 3

Application No. 10/542,127
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Attorney Docket No. 4544-052144

5. (Currently Amended) A polyherbal preparation as claimed in claim 1 wherein Commiphora mukul, Boswellia serrata, Semecarpus anacardium, Strychnos nux vomica, Terminalia arjuna and Shankha Bh^aasma the constituents are present in the ratio of:

Do
Ef Amma.

5

Purified Commiphora mukul	3.7
Pure Boswellia serrata	3.0
Purified Semecarpus anacardium	0.1
Purified powder ^{os} Strychnos nux vomica	1.0
Pure powder ^{os} water extract ^{os} Terminalia arjuna bark	0.7
Shankha Bh ^a asma Bhasma	1.5

9

6. (Canceled).